

STATE OF RHODE ISLAND AND
PROVIDENCE PLANTATIONS,
DEPARTMENT OF HEALTH,
BOARD OF MEDICAL LICENSURE
AND DISCIPLINE

Revised 7/14/88
Health\Klie.Ord

Vs.

No. C87-174

JACK H. KLINE, M.D.

CONSENT ORDER

Pursuant to Section 5-37-5.2 of the General Laws, a complaint was filed with the Board of Medical Licensure and Discipline [hereinafter referred to as "Board"] charging Jack H. Kline, M.D., respondent, with violation of Section 5-37-5.1 of the General Laws. An investigation was conducted by Investigating Committee II, so called, of the Board.

After consideration by Investigating Committee II, of the Board, the following constitutes the findings of fact with respect to the professional performance of the Respondent:

1. The Respondent first evaluated a patient on February 26, 1982 and obtained a history of chest discomfort and rectal bleeding. Physical examination was negative.
2. The Respondent arranged for appropriate further study of the chest discomfort, but did not carry out further evaluation of the rectal bleeding. The Respondent states that he knows that further study should be carried out in such cases and he cannot explain his failure to do so in this instance.
3. On a further examination on January 11, 1983, no complaint of rectal bleeding was elicited and no further relevant studies were ordered.
4. Subsequently, the patient experienced more profuse rectal bleeding and studies then revealed colo-rectal cancer. Despite therapy, patient died from metastatic cancer on December 31, 1985.

The parties agree that the following operative provisions

under and by virtue of the Laws of the State of Rhode Island,
allopathic license number 4568. Respondent's mailing address is
100 Highland Avenue, Providence, Rhode Island 02906.

2. Respondent admits to the jurisdiction of the Board and
hereby agrees to remain under the jurisdiction of the Board.

3. Respondent acknowledges and waives:

- a) The right to appear personally or by counsel or both before the Board;
- b) The right to produce witnesses and evidence in his behalf at a hearing;
- c) The right to cross-examine witnesses;
- d) The right to have subpoenas issued by the Board;
- e) The right to further procedural steps except for those specifically contained herein;
- f) Any and all rights of appeal of this Consent Order;
- g) Any objection to the fact that this Consent Order will be presented to the Board for consideration and review;
- h) Any objection to the fact that it will be necessary for the Board to become acquainted with all evidence pertaining to this matter in order to adequately review this Consent Order;
- i) Any objection to the fact that the Board reviewing this Consent Order may be the same as the Hearing Committee presiding over this matter should it later be brought to an administrative proceeding;
- j) Any objection to the fact that potential bias may occur as a result of the presentation of this Consent Order to the Board.

4. This Consent Order shall become part of the public record of this proceeding once it is accepted by all parties and accepted by the Board. It shall be published pursuant to the General Laws of the State of Rhode Island.

5. Acceptance of this Consent Order constitutes an

and is subject to the final approval of the Board.

7. Failure to comply with this Consent Order shall subject the Respondent to further disciplinary action.

8. Respondent voluntarily accepts the Board's sanction of a reprimand, as provided in Section 5-37-6.3 of the General Laws of the State of Rhode Island and Providence Plantations, 1956, as Amended.

9. It is further agreed that Respondent shall promptly notify the Board of any change in his address.

Signed this

22nd day of July 1988



Jack H. Klie, M.D.



H. Denman Scott, M.D., M.P.H.
Chairman
Board of Medical Licensure and
Discipline